

Summary
Virginia Latino Advisory Board- Subcommittee on Housing
Friday, March 5th • 11am-12:30 pm

VLAB members in attendance: Carmen Romero (Housing Chair), Paul Berry (VLAB, Chair), Alex Guzman, Walewska Watkins, Cecilia Williams

Staff: Suzanne Holland (Department Name Plz), Justin Bell (Attorney General's Office)

Presentation by Pam Kestner, Dept. of Housing Community Development:

- Update on the State's Rent Relief Program (RRP) which was expanded statewide in February 2021 by \$524M from federal monies; Chesterfield and Fairfax each received their own allocations.
- Program gives up to 15 months of rent relief for households whose income are at or below 80% area median income with demonstrated inability to pay rent due to COVID impacts
- DHCD has continued to increase access points to the RRP funding throughout the pandemic including a new Landlord Portal created in the Fall and a call center that gets thousands of calls daily from people in need
- From a racial equity perspective, DHCD reported that recipients of the funds are: ½ the recipients identify as Black, 10.34% as Hispanic, some unknown as did not self-report race or ethnicity.
- Also, the majority of beneficiaries have children under the age of eight.
- To further expand the program strategically within the communities of color, including households with limited internet or non-English speaking tenants, the State will be issuing an RRP Outreach and Engagement Grants to intermediary Organizations to subgrant to non-profits that have relationships with the target populations.

Additional update on VLAB Housing 2020 Annual Plan Recommendations:

Expand landlord tenant laws	43	2021 Task Force request
Identify safe shelter housing for those required to isolate or quarantine	20	Unknown
Increase the Virginia Housing Trust Fund to the \$85 million level	45	Gov. Budget \$70.7M (21) and \$55M (22)
Protect Virginians from eviction during a public health emergency	21	Moratorium until March 31st;
Expand the eviction moratorium and pair with increases in the Rent and Mortgage Relief Program	19	Virginia Rent Relief program funded

New 2021 recommendation- Tenant Law reform- W. Watkins

- Summary of the issue: the Virginia Code includes some provisions regarding the recovery of reasonable attorneys' fees by landlords and tenants under certain circumstances, but not others. Provisions allowing the recovery of a tenant's reasonable attorney's fees are invariably predicated upon the filing of a court action for damages or injunctive relief

(or for both) and the showing of intentional malfeasance. Without explanation, however, Virginia Code § 55.1-1245(H) does not similarly predicate a landlord's ability to demand the payment of attorney's fees upon the filing of a court action or the showing of intentional malfeasance.

- There can be no even, fair, or altruistic purpose to the perpetuation of an imbalanced state of the law that demands from tenants court action and the substantive proof of their wrongdoing and demands nothing from landlords. It is incumbent upon us as representatives of our LatinX communities to denounce this pernicious practice and legal scheme, because it allows for the capricious inflation of rental amounts owed, which in turn aggravates the disproportionate burden of unlawful detainers actions (as eviction actions are known in Virginia) upon racial and ethnic minorities—such as our LatinX and Hispanic communities.
 - **VLAB housing committee submitted a letter to Gov Northam in February 2021 to request to the administration create a taskforce to address this issue by November 2021;**
- Recommendations from staff at the subcommittee discussion included the need for education of stakeholders to the issue including the Virginia State Bar Association and Virginia's Access to Justice Commission